

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 09-16358
Non-Argument Calendar

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| FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JULY 27, 2010 JOHN LEY CLERK |
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D. C. Docket No. 09-00144-CR-ORL-19-GJK

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RHONDA JENNETTE BAYS,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida

(July 27, 2010)

Before TJOFLAT, EDMONDSON and BIRCH, Circuit Judges.

PER CURIAM:

Rhonda Jennette Bays waived indictment and pled guilty (without benefit of

a plea agreement) to both counts of an information: Count One, production of child pornography, in violation of 18 U.S.C. §§ 2251(a) and (e); Count Two, conspiracy to travel in interstate commerce for the purpose of engaging in illicit sexual conduct, in violation of 18 U.S.C. § 2423(b) and (e). The district court accepted Bays's guilty pleas and thus convicted Bays of both offenses, but it did not impose a separate sentence on each count. Instead, the court imposed one prison sentence "for a total term of 292 months."

We vacate the district court's judgment and sentence and remand the case with the instruction that the court impose separate sentences for Counts One and Two.

VACATED and REMANDED.